

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:	Chapter 9
	Case No. 13-53846
CITY OF DETROIT, MICHIGAN,	Hon. Steven W. Rhodes
Debtor.	

***EX PARTE* MOTION OF THE ATTORNEY GENERAL FOR ORDER ALLOWING
RESPONSE BRIEF TO JOINT PRETRIAL BRIEF OF BOND INSURERS**

The Attorney General moves *ex parte* for the entry of an order authorizing him to file the attached brief.

1. The Court's most recent pretrial scheduling order allows for the filing of trial briefs but not briefs in response. On August 27, 2014, certain creditors—the Bond Insurers—filed a 174-page joint pretrial brief objecting to the DIA Settlement (Document No. 7103). Much of the brief directly disputes the legal reasoning of AG Opinion No. 7272; it also addresses other issues relevant to charitable trusts, which the Attorney General supervises and enforces on behalf of the people of Michigan.

2. Because the City's Plan—specifically, the DIA Settlement—fully preserves the DIA Collection in perpetual charitable trust for the people of Michigan, the Attorney General supports this resolution and has not materially participated in the confirmation hearing. Given that the Attorney General issued his opinion in June 2013, the Court and other parties have had the benefit of his analysis for more than a year. Because the Bond Insurers dedicated a significant portion of their filing to addressing the opinion, the Attorney General contends that the Court will benefit from his response to the Bond Insurers' arguments.

3. To further explain his formal opinion and to otherwise clarify matters relevant to charitable trust law, the Attorney General respectfully requests that the Court enter an order allowing for the filing of the attached response brief.

Respectfully submitted,

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Dated: September 19, 2014

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